



**S/N 10/018,105**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Roemer, Terry	)	Examiner: Burkhart, Michael
	)	
Serial No.: 10/018,105	)	Group Art Unit: 1633
	)	
Filed: July 15, 2002	)	Attorney Docket: MK-06
	)	
Title: Identification of Candida Albicans	)	
Essential Fungal Specific Genes and	)	
Use Thereof in Antifungal Drug	)	
Discovery	)	

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**SUBMISSION IN SUPPORT OF**  
**REQUEST FOR CONTINUED EXAMINATION UNDER 37 CFR 1.114**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the continued examination of the above-identified application in accordance with the Request for Continued Examination submitted herewith, please enter the enclosed Information Disclosure Statement and the attached Form 1449.

In accordance with 37 C.F.R. §1.97 *et. seq.*, Applicant provides the enclosed materials for the Examiner's consideration in connection with the above-identified patent application.

Applicant respectfully requests that this Information Disclosure Statement and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Copies of foreign and non-patent references are enclosed herein. Pursuant to the provisions of MPEP 609,

Applicant requests that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicant with the next official communication.

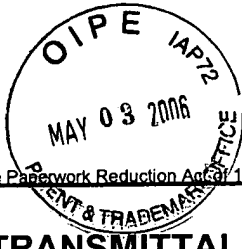
The information contained in this Information Disclosure Statement is not to be construed as 1) a representation that a search has been conducted; 2) additional information material to the examination of this application does not exist; 3) the information, protocol, results and the like reported by third parties are accurate or enabling; the information is considered to be material to patentability; or 4) that the information constitutes prior art to the current application.

Should the Examiner have any questions or concerns, he is invited to contact the undersigned. It is believed no fee, other than the filing fee, is required. If a fee is required, please charge the same to Deposit Account 50-3464.

Respectfully submitted,

Date: May 1, 2006

By *Diane P. Tso*  
Diane P. Tso  
Reg. No. 46,012  
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#RCE  
JFW

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

8

Application Number

10/018,105

Filing Date

July 15, 2002

First Named Inventor

Roemer, Terry

Art Unit

1633

Examiner Name

Burkhart, Michael

Attorney Docket Number

MK-06

### ENCLOSURES (Check all that apply)



Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)



Reply to Missing Parts/  
Incomplete Application



Reply to Missing Parts  
under 37 CFR 1.52 or 1.53



Drawing(s)



Licensing-related Papers



Petition



Petition to Convert to a  
Provisional Application



Power of Attorney, Revocation  
Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD



After Allowance Communication to TC



Appeal Communication to Board  
of Appeals and Interferences



Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)



Proprietary Information



Status Letter



Other Enclosure(s) (please identify  
below):

--Form 1449 (2 pages)

--Request for Continued Examination  
(1 page)

#### Remarks

Enclosures Con't.

--Submission in Support of Request for Continued  
Examination under 37 CFR 1.114 (2 pages)

--22 References

--Return-receipt postcard

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Hoxie & Tso LLP

Signature

*Diane P. Tso*

Printed name

Diane P. Tso

Date

May 1, 2006

Reg. No.

46,012

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

*Michele Konrad*

Typed or printed name

Michele Konrad

Date

May 1, 2006

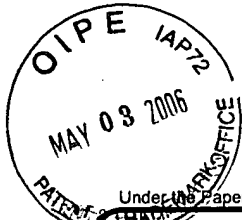
This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

05/04/2006-FFANAEIA-00000033 10018105

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2006

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$). 790.00

### Complete if Known

Application Number	10/018,105
Filing Date	July 15, 2002
First Named Inventor	Roemer, Terry
Examiner Name	Burkhart, Michael
Art Unit	1633
Attorney Docket No.	MK-06

### METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 50-3464 Deposit Account Name: Hoxie & Tso LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

### FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

#### 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims Extra Claims Fee (\$) Fee Paid (\$)

- 20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims Extra Claims Fee (\$) Fee Paid (\$)

- 3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3.

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)

- 100 = \_\_\_\_\_ / 50 = \_\_\_\_\_ (round up to a whole number) x \_\_\_\_\_ = \_\_\_\_\_

#### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 37 CFR 1.17(e) - Request for Continued Examination

Fees Paid (\$)

\$790.00

#### SUBMITTED BY

Signature	<u>Diane P. Tso</u>	Registration No. (Attorney/Agent)	46,012	Telephone (973) 467-1806
Name (Print/Type)	Diane P. Tso			Date May 1, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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